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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: James M. KAIN

Serial No.: 10/032,633

Art Unit: 3636

Filed: October 19, 2001

Examiner: Garrett, Erika P.

For: JUVENILE SEAT CUP HOLDER

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AMENDMENT

(Box Non-Fee Amendment)

Honorable Assistant Commissioner for
Patents
Washington, D.C. 20231

03/05/2003 MBYARS 00000001 10032633

Sir:

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Please amend the claims as indicated in the attached Appendix.

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REMARKS

The is in response to the Office Action mailed December 4, 2002. In the office action claims 2-5, 8-10, 15 and 17 are objected to as dependent on a rejected claim and claims 1, 6, 7, 11-14 and 16 are rejected as anticipated by Rasnick (U.S. Patent No. 5,217,277) or Cook (U.S. Patent No. 4,719,764).

Claims 2, 4, 5, 8, 9, 15 and 17 have been placed in independent form. Claims 1, 6 and 11 have been amended to avoid the rejections over Rasnick and Cook.

Claim 1 as amended recites a juvenile seat comprising a juvenile seat comprising a base having a front, a rear, opposite sides and a seating surface between the sides to receive an occupant, the base having, on at least one of the sides, an upstanding side wall having a cavity facing outwardly away from the seating surface, a cup holder comprising a shell having an inner surface providing a cup retainer and an outer surface, the cup holder being coupled to the base to pivot between a closed position in which the cup retainer extends into the cavity and the outer surface merges with the upstanding side wall to form an exterior surface of the base and an opened position extending from the base in which the cup retainer is open upwardly and the outer surface is separated from the upstanding side wall.